



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

T. H. HUMPHERYS
STATE ENGINEER

November 18, 1937

REL: RED CREEK DISTRIBUTION

Memorandum for Office Study only, by Elmo R. Morgan

On November 3, 1937 I called at Mr. J. E. L. Carey's home in Fruitland to investigate the complaint which he made relative to the distribution of water on Red creek. The two of us went to the divider which has been installed to distribute the water between Mr. Carey and the other users on the stream.

CONDITIONS FOUND IN FIELD

Picture No. 1 shows the conditions found at the divider on the date when examination was made. The pole across the stream in the foreground of the picture is that which was placed to support the trash rack. Mr. Carey stated that it was next to impossible to keep a trash rack in the stream, because as soon as it was in place the other users would come along, take it out, and throw it over a steep embankment to the south of the ditch. Without a trash rack the stream is not evenly divided along the weir crest, and consequently a fair division of the water cannot be made. The fetch of the stream is such that the amount of water flowing into Mr. Carey's ditch, which is the smaller of the two leading to the right, is less than it would be if the trash rack were in place. Without a trash rack a considerable amount of debris flows down and collects against the splitter, thus affecting the distribution of the water as it flows over the crest.

Mr. Carey also stated that he has had considerable difficulty in that the other users hammer down one side of the crest and also dig rocks from the channel below the divider in such a way that it increases the flow in the ditch of the other users. The total length of crest was measured as 8 feet, and the effective part contributing to Mr. Carey's ditch was 11 15/16 inches. If otherwise properly set and operated, this division of the total crest would give the proper amount of water in each of the ditches. With continued removal of the trash rack, hammering down one side of the weir board, excavating materials from one side of the channel and not the other, and allowing debris to collect along the weir crest, the proper distribution can never be hoped for. The weir is not set high enough to produce a free fall over the crest and consequently a submerged condition has resulted. With this condition, the lowering of the channel immediately below the crest would make a considerable difference in the quantity flowing over that part of the weir.

POSSIBLE SOLUTION OF PROBLEM

The troubles of the past season are over, but they will undoubtedly recur during another irrigation season. If a Commissioner were appointed to distribute the water the condition could be remedied, but since the case is essentially Mr. Carey vs. the rest of the users on the ditch, it is doubted whether a sufficient number of users would be in favor of a Commissioner. If this office could set the

divider, or at least supervise its setting, post a notice, and then someone be hired to watch the divider for the purpose of obtaining evidence of its being tampered with, in making adjustments to suit their own needs. Without some such procedure, there seems little that can be done other than setting the divider, posting a notice, and then warning each party by letter of the penalty connected with disturbing such devices.

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Picture No. 1

This picture shows the divider used in the distribution of water from Red creek between Mr. Carey and other users along this particular ditch. The trash rack which ordinarily should be in place along the pole in the foreground was found in a heap over the south bank of the ditch. Note the leaves which have accumulated in front of the splitter.

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7/10/39 - BY MR. AUSTIN G. BURTON.

On July 5, accompanied by J. E. L. Carey of Fruitland, I visited Red Creek ditch of which Mr. Carey was one of the owners and of which Mr. Carey has complained of interference with a splitter that divides the water of this canal between Mr. Carey and the other users. About 1/7 of the stream is diverted to Mr. Carey, and the remainder is used on the ranches formerly owned by R. D. Young and J. T. Carter.

At the request of more than 25% of the users in 1934, and under the direction of Mr. Lofgren, a splitter with crest approximately 8 ft. long was constructed and the splitter so set that 11 6/16 inches of the total 8 ft. was diverted into the Carey ditch. From year to year Mr. Carey has reported that this splitter was being interfered with by the other users; that the crest was being undermined, and that the crest board was being driven down in an attempt to divert more of the water from Mr. Carey. At the time of my visit I found, while the crest of the splitter showed evidence of having been hammered so far as could be discerned, the crest was level and no water was passing under it. The splitter board was down in the position originally placed and the water was falling freely from the crest so that there could be little complaint at this time.

Since 1934, there have been no further petitions asking for division of the water as provided in Sec. 100-5-9, Revised Statutes of Utah - 1933 as amended by the Session Laws of 1935. Notwithstanding this Mr. Carey insists that this division of water has at all times remained and now is under the supervision of the State Engineer. Mr. Carey requests that this division of water remain under the supervision of the State Engineer, and that the parties thereto be required to construct a concrete sputter, the design of the construction shall be supervised by the State Engineer. The object of this request is to provide for a permanent structure which will not permit the same being easily tampered with, and will possibly eliminate further need of supervision.

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